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2 BRENT L. RYMAN, ESQ. (SBN #008648)  
3 ERICKSON, THORPE & SWAINSTON, LTD.  
4 99 West Arroyo Street  
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7 *Attorneys for Defendants*

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9  
10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA  
12  
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14 ANTHONY GONZALES, an individual  
15 and MARIA GONZALES, an individual,

16 Plaintiff,

17 v.

18 NYE COUNTY , NEVADA, a political  
19 subdivision of the State of Nevada,  
20 SHERIFF SHARON WEHRLY,  
21 DEPUTY NICHOLAS AUGUSTINE; and  
22 DOES 1 to 10,

23 Defendants.  
24 \_\_\_\_\_/

Case No.: 2:18-cv-01762-JCM-CWH

25 **STIPULATION AND**  
26 **ORDER TO DISMISS DEFENDANT**  
27 **NICHOLAS AUGUSTINE**  
28 **WITHOUT PREJUDICE**

29 COMES NOW, the parties, by and through their Attorneys of Record, and hereby  
30 stipulate that Defendant DEPUTY NICHOLAS AUGUSTINE be dismissed from this matter,  
31 without prejudice, with all parties to bear their own court costs and attorney's fees, if any.  
32 The parties further agree that the pending Motion to Dismiss (#5) filed by Mr. Augustine is  
33 rendered moot by this dismissal.

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1 DATED this 4<sup>th</sup> day of February, 2019.

2 ERICKSON, THORPE & SWAINSTON, LTD.

3  
4 By /s/ Brent Ryman  
5 BRENT L. RYMAN, ESQ. (SBN #008648)  
6 ERICKSON, THORPE & SWAINSTON  
7 99 West Arroyo Street  
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9 Telephone: (775) 786-3930  
10 *Attorneys for Defendants*

11 DATED this 4<sup>th</sup> day of February, 2019.

12 GIBSON LAW GROUP, PLLP

13 By /s/ Tom Gibson  
14 THOMAS J. GIBSON, ESQ. (SBN #003995)  
15 GIBSON LAW GROUP, PLLP  
16 2340 East Calvada Blvd., Suite 5  
17 Pahrump, Nevada 89048  
18 Telephone: (775) 209-1035  
19 *Attorneys for Plaintiffs*

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22 **ORDER**

23 Upon good cause appearing,

24 IT IS SO ORDERED.

25 DATED February 12, 2019.

26   
27 U.S. DISTRICT COURT JUDGE  
28

**CERTIFICATE OF SERVICE**

Pursuant to FRCP Rule 5, I certify that I am an employee of ERICKSON, THORPE & SWAINSTON, LTD. and that on this day I caused to be served a true and correct copy of the attached document by:

- ☐ U.S. Mail
- ☐ Facsimile Transmission
- ☐ Personal Service
- ☐ Messenger Service
- ☒ CMECF electronic service

addressed to the following:

*THOMAS P. GIBSON, ESQ.  
GIBSON LAW GROUP, PLLP  
2340 East Calvada Blvd., Suite 5  
Pahrump, Nevada 89048*

DATED this 4<sup>th</sup> day of February, 2019.

/s/ Brent Ryman  
BRENT RYMAN